

REMARKS

This is intended as a full and complete response to the Office Action dated February 4, 2009 having a shortened statutory period for response set to expire on May 4, 2009. A Petition for a One Month Extension of time has been filed herewith extending the time to file this Response and Amendment to June 4, 2009. Please reconsider the amended claims pending in the application for reasons discussed below.

Claims 12, 14- 22 and new claims 23-24 are pending in the application as shown above. Claim 12 has been amended and claim 13 has been cancelled. Claims 23 and 24 have been added. Support for new claims 23 and 24 may be found at least at page 3 of the Specification lines 5-10. Accordingly, no new matter has been added by the preceding amendments. Reconsideration is respectfully requested for reasons presented below.

Amendments to the Drawings

The Examiner states that for examination purposes the drawings from the underlying PCT application (PCT/EP04/09537) from which this National Phase application was filed have been used. Applicant has attached 1(one) sheet of drawing from the PCT case and has labeled it as a Replacement Sheet.

35 USC § 102(a)

The Examiner rejected claims 12 and 13 under 35 USC §102 as being anticipated by US/4,523,172 to Drothen et al. (Drothen). Since claim 13 has been cancelled by amendment, the following arguments are presented with respect to claim 12. In particular, the Examiner contends that Drothen discloses each of the limitations of claim 12 including "at least one electrically insulating fiber (10, 11) wound about the core parallel and closely adjacent to the fusible wire such that the fusible wire is fixed in position so that a short circuit of adjacent turns of the fusible wire is (inherently) prevented." In Fig. 3b of Drothen "a fuse element 7 ...carries as a sheath a silicone sleeve 10, over which is placed a double fabric ply 11" is arguably disclosed. The

insulating fiber 11 of Drothen surrounds the fusible wire 7 such that the configuration about the core 3 is fusible wire 7, surrounded by an insulating fiber 10, which is adjacent insulating fiber 10, again which surrounds, fusible wire 7 and so on. The fusible element 7 is never adjacent a fusible wire of a subsequent winding. Rather, the insulating fiber 10 is always adjacent another insulating fiber 10 along each of the windings. In contrast, amended claim 1 recites that an electrical insulating fiber is wound about the core adjacent to each of said plurality of fusible wire windings such that the insulating fiber is fixed in position adjacent each turn of the fusible wire. The turns of the fusible wire and the insulating fiber are wound closely to one another to increase the winding density. (See specification at page 4, lines 18-29)

Alternatively, the Examiner rejected claims 12 and 13 under 35 USC §102(b) in view of McCaughna (US 3,486,155). McCaughna arguably discloses wire 11 wound about core 12 with each wire 11 adjacent on both sides by fiber 10. However, similar to Drothen, the configuration in McCaughna about the core 12 is fusible wire 11, insulating fiber 10, which is remotely adjacent to insulating fiber 10 again, adjacent to fusible wire 11, etc. McCaughna does not disclose the configuration of a wire, insulating fiber, wire, insulating fiber, etc. Again, as recited in amended claim 1 electrical insulating fiber (3) is wound about the core (1) adjacent to each of said plurality of fusible wire (2) windings such that the insulating fiber is fixed in position adjacent each turn of the fusible wire. Thus, Applicant respectfully submits that amended claim 12 is not anticipated by each of the references Drothen and McCaughna cited by the Examiner.

35 USC § 103(a)

The Examiner rejected claims 14-22 under the 35 USC §103(a) as being unpatentable over US/4,523,172 to Drothen et al taken alone. Since each of claims 14-22 depend either directly or indirectly from amended claim 12, Applicant respectfully submits that these claims are likewise in condition for allowance.

New Claims

Claims 22 and 23 have been added which recites that the insulating fibre has a substantially flat cross section when disposed around the core. As recited in the

Specification at page 3 lines 5-10, the winding of the insulating fibre onto the core deforms the fibre to be flattened and that the spacing between the fusible wire (as defined by the cross section of the fibre) is between 0.2 – 2 times the diameter of the fusible wire. Neither Drothen nor McCaughna discloses that the insulating fiber is adjacent to and between each of the plurality of fusible wire windings as recited in new claim 23. In addition, the cited references do not disclose that the insulating fiber is configured to have a relatively flat cross section disposed around the core as recited in new claims 22 and 23. Applicant respectfully submits that new claims 22 and 23 are patentable over the cited references.

In view of the preceding remarks and amendments, Applicant respectfully submits that the rejection of claims 12 and 14-22 are traversed and claims 12, 14-24 are in condition for allowance. If the Examiner is in disagreement with the above, Applicant respectfully requests the benefit of a telephonic interview. If privilege of an interview is granted, the undersigned may be contacted by telephone. Applicant conditionally petitions for any extensions of time to address the possibility that the need for such extension, not accounted for herein, is required.

Respectfully submitted,

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